

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

FILED  
23 SEP 3 PM 2:20  
CLERK, U.S. DISTRICT COURT,  
NORTHERN DISTRICT OF CALIFORNIA

Ivan Kilgore,

No. C 07-5124 SI (pr)

Plaintiff,

v.

J. Walker, acting warden,

Respondent.

Application and motion for leave of court for motion for reconsideration of the Honorable Susan Illston's July 16, 2008 "Order Denying Motion For Funds."

Petitioner, Ivan Kilgore, hereby request of the court to grant leave for motion for reconsideration of the Honorable Susan Illston's July 16, 2008 "Order Denying Motion For Funds.

Petitioner has prior to this filing requested of the District Court to provide funds to obtain the complete transcription of a 1997 prior Oklahoma jury trial. The transcripts are relevant and material evidence to the case in chief.

Petitioner's basis for this motion: Federal Local Rule 7-9(b) (2) & (3).

All arguements and points of authorities have been submitted with the actual motion for rehearing filed in conjunction to this motion for leave.

For the reasons stated herein and those in conjunction to the motion for rehearing, petitioner respectfully request this motion for leave be granted.

1 Dated: 8-27-08

2 Norm Ndegwa  
3 (Petitioner)

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## PROOF OF SERVICE

C.C.P. §1013(a); 26 U.S.C. §1746.

I, JUAN KILGORE, am over the age of eighteen (18) years, and I (am) (am not) a party to the within cause of action. My address is:

P.O. Box 290066  
Represa, CA 95671

On, August 27, 2008, I served the following documents:

Application + motion for leave of court for motion  
for reconsideration

on the below named individual(s) by depositing true and correct copies thereof in the United State mail in Represa, California, with postage fully prepaid thereon, addressed as follows:

1. Office of Clerk  
Northern District of California  
450 Golden Gate Ave  
San Francisco, CA 94102

I have read the above statements and declare under the penalty of perjury of the laws of the State of California that the foregoing is true and correct.

Executed this 27 day of August, 2008, at California State Prison - Sacramento, Represa, California.

(Signature)

Juan Kilgore